

REMARKS

Claims 1 to 3, 5 to 8, 10 to 15, and 17 were pending in the application at the time of examination. Claims Claims 1 to 3, 5 to 8, 10 to 15, and 17 stand rejected as obvious.

Claims 1, 6, 11 and 13 are amended to explicitly recite limitations that were inherent in the Claims. The amendments are made only to avoid discussions on whether Applicant is requesting the Examiner to read limitations into the claims.

Claims 1 to 17 stand rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 5,903,890 to Shoji et al. (hereinafter, Shoji) in view of U.S. Patent No. 7,113,939 to Chou et al. (hereinafter, Chou). Applicant respectfully traverses the obviousness rejection.

Applicant respectfully notes that the database system of Shoji is fundamentally different from the database system of Chou and for a combination of references, the MPEP requires that the primary reference still work for its intended purpose. Considering the basic differences of the two systems, such a showing has not been made. However, it is not necessary to resolve this issue to demonstrate that Claim 1 distinguishes over the combination. Therefore, assuming arguendo that the combination is correct, the combination teaches away from Applicant's invention as recited in Claim 1.

The Examiner attention is called to Chen, Col. 19, line 18 to Col. 20, line 34, which state:

There are several mechanisms for users to submit federated queries for execution. For example, users can create a federated query string and pass it to a federated query object and then invoke an execute or evaluate method on that object to trigger the query processing. Alternatively, a user can pass the federated query string to the execute or evaluate method in the federated datastore to process the query directly.

The query canonical form is the input for the federated query processor module. This module will perform the following tasks: Query translation. Translates the

query canonical form into several native queries that corresponds to each native datastore associated to this federated datastore. The translation information is obtained from the schema mapping. Data conversion. Converts data in the query into a native data type for each of the associated native datastores. This process uses the mapping and conversion mechanisms described in the schema mapping. Data filtering. Filters only the relevant data during the construction of native queries.

Each native query is submitted to the corresponding native datastore for execution. Initially, the results returned are cursors to the data in each datastore.

The end-result of an initial query is a federated result set cursor object, which is a virtual collection (i.e., at this time, data has not actually been retrieved) of cursors to objects in each of the native datastores.

The user can retrieve the actual data using a fetch. When a fetch is issued for data, the data is returned by the native datastores to the federated query results processor module, which will do the following: Data conversion. Converts data from the native type into a federated type according to the mapping information. Data filtering. Filters the results to include only the requested data. Result merging. Merges the results from several native datastores into a federated collection

Thus, the prior art expressly taught that the user/application had to fetch the desired results. This teaches away from the merging driver ordering the results as recited in Claim 1. Therefore, Claim 1 distinguishes over the combination of references. Applicant respectfully requests reconsideration and withdrawal of the obviousness rejection of Claim 1.

Claims 2, 3 and 5 depend directly or indirectly from Claim 1 and therefore distinguish over the cited art for at least the same reasons as Claim 1. Applicant respectfully requests reconsideration and withdrawal of each of the obviousness rejections of Claims 2, 3 and 5.

Applicant respectfully submits that each of amended Claims 6 and 13 overcome the obviousness rejection. Claims 6

and 13 were rejected for the same reasons as Claim 1. Therefore, as discussed with respect to amended Claim 1 and incorporated herein by reference, the Office Action failed to show how the cited references, alone or in combination, taught or suggested all of the claim limitations of amended Claims 6 and 13. Applicant respectfully requests reconsideration and withdrawal of the obviousness rejections of each of Claims 6 and 13.

Claims 7, 8 and 10 and Claims 14, 15 and 17 depend directly or indirectly from amended Claims 6 and 13, respectively, and therefore distinguish over the cited art for at least the same reasons as amended Claims 6 and 13. Applicant respectfully requests reconsideration and withdrawal of the obviousness rejection each of Claims 7, 8 and 10 and each of Claims 14, 15 and 17.

Applicant respectfully submits that Claim 11, as amended, overcomes the obviousness rejection. As discussed above with respect to amended Claim 1 and incorporated herein by reference, the Office Action failed to show that the cited sections of the references, alone or in combination, taught or suggested all of the claim limitations of Claim 11, as amended, and in particular the merging driver generating an ordered result. Applicant respectfully requests reconsideration and withdrawal of the obviousness rejection of Claim 11.

Claim 12 depends from amended Claim 11 and so distinguishes over the prior art references for at least the same reasons as amended Claim 11. Applicant respectfully requests reconsideration and withdrawal of the obviousness rejection of Claim 12.

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Appl. No. 09/738,464

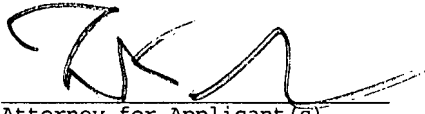
Amdt. dated July 20, 2007

Reply to Office Action of March 20, 2007

Claims 1 to 3, 5 to 8, 10 to 15, and 17 remain in the application. Claims 1, 6, 11 and 13 have been amended. Claims 4, 9 and 16 were cancelled previously. For the foregoing reasons, Applicant respectfully requests allowance of all pending claims. If the Examiner has any questions relating to the above, the Examiner is respectfully requested to telephone the undersigned Attorney for Applicant.

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on July 20, 2007.



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July 20, 2007

Date of Signature

Respectfully submitted,



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